

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Birdella Kenney,) Case No.: 2:24-cv-03178-DCN-MGB
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 Plaintiff,)
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 vs.)
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 Medical University of South Carolina,)
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 Defendant.)
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DEFENDANT MEDICAL UNIVERSITY OF SOUTH CAROLINA'S STATUS UPDATE

Pursuant to Text Order 34, please accept this filing as Defendant Medical University of South Carolina's Status Update as ordered by Magistrate Judge Mary Gordon Baker for clarification of the basis for extensions sought in the Rule 26(f) report.

This matter was filed by the Plaintiff *Pro Se* May 23, 2024. (Dkt. No. 1). On June 27, 2024. A Notice of Appearance was filed on behalf of the Plaintiff on June 17, 2024 and a Motion for Admission Pro Hac on June 26, 2024 (Dkt. No. 14). Defendant waived service on August 13, 2024 (Dkt. No. 17) and filed their Motion to Dismiss on September 27, 2024 (Dkt. No. 20). In response thereto, Plaintiff filed an Amended Complaint on October 8, 2024 (Dkt. No. 22). Defendant filed a Motion to Dismiss the Amended Complaint on October 18, 2024 (Dkt. No. 24). Plaintiff replied in Opposition on October 31, 2024 (Dkt. No. 25), Defendant replied to Plaintiff's opposition on November 5, 2024 (Dkt. No. 26) and Magistrate Baker issued her Report and Recommendation February 24, 2025 (Dkt. 27). Defendant filed Objections to the

Report and Recommendation on March 25, 2025 (Dkt. 32) and Plaintiff filed her Reply to Objections on April 3, 2025 (Dkt. 37).

The parties held the 26(f) conference on March 10, 2025. The parties discussed the issues raised and current deadlines listed in the Scheduling Order issued by the Court (Dkt. 28). Defendant advised of their intention to file Objections to the Report and Recommendation. The parties discussed that due to the lag between filing and service, the case did not move forward for almost three (3) months. The parties discussed that if the Report and Recommendation is adopted by the Court, this Defendant will prepare and file and answer to the Plaintiff's Amended Complaint. This case is really just in the beginning phases. Additionally, school is approaching summer break for the College, the parties discussed holiday schedules, anticipated vacation schedules, prior family commitments and the possibility of same for their clients. The parties discussed and agreed to 60 days between expert identification deadlines. The parties discussed mediation to be held prior to the close of discovery. The parties discussed the discovery they felt needed to be accomplished in order for mediation to be meaningful and have a chance at success and how long it would take to accomplish that discovery. With that date set the parties discussed what they believed would need to be done to prepare for trial, if mediation was not successful and the anticipated time for same. The remainder of the dates in the amended scheduling order fell in line thereafter.

As a result thereof the above, the parties agreed to the deadlines contained in the proposed amended scheduling order submitted to the Court. In conformance therewith, the parties have just recently exchanged initial disclosures as required for FCRP 26(a)(1)(A). The parties have just received, April 4, 2025, Judge Norton's adoption of the Magistrate's Report and

Recommendation (Dkt. 38). The Defendant is preparing their Answer to the Plaintiff's Amended Complaint.

REYNOLDS & STEPHENS, LLC

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April 7, 2025
Charleston, South Carolina